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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN FRANCISCO DIVISION**

17 KIMBERLY YORDY, individually and on  
18 behalf of all others similarly situated,

19 *Plaintiff,*

20 v.

21 PLIMUS, INC., a California corporation,

22 *Defendant.*

Case No. 12-cv-00229-TEH

**PARTIES' STIPULATION TO DISMISS  
WITH PREJUDICE PURSUANT TO  
FED. R. CIV. P. 41**

Judge: Honorable Thelton E. Henderson  
Action filed: January 13, 2012

1 Plaintiff Kimberly Yordy (“Yordy”) and Defendant Plimus, Inc. (“Plimus”) (collectively,  
 2 the “Parties”), by and through their undersigned counsel, hereby stipulate and agree pursuant to  
 3 Federal Rule of Civil Procedure 41(a)(1)(A)(ii) to the dismissal of Yordy’s claims in this action,  
 4 *with prejudice*. In support of the instant stipulation, the Parties state as follows:

5 WHEREAS, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the Parties may stipulate to the  
 6 dismissal of this action without a Court order;

7 WHEREAS, the Parties have conferred and agreed to stipulate to the dismissal of Yordy’s  
 8 individual claims against Plimus in this action *with prejudice*; and

9 WHEREAS, the Parties have further agreed that they shall each bear their own attorneys’  
 10 fees and expenses incurred in any way related to this action.

11 NOW THEREFORE, IT IS HEREBY STIPULATED and AGREED:

12 1) Plaintiff Yordy’s claims against Plimus in this action shall be dismissed *with*  
 13 *prejudice*; and

14 2) The Parties shall each bear their own attorneys’ fees and expenses incurred in any  
 15 way related to this action.

16 IT SO STIPULATED.

17 **KIMBERLY YORDY,**

18 Dated: June 13, 2014

By: /s/ Benjamin H. Richman  
 One of Plaintiff’s Attorneys

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**PLIMUS, INC.,**

Dated: June 13, 2014

By: /s/ Jordan M. Heinz  
One of Defendant's Attorneys

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**FILER'S ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

I, Benjamin H. Richman, hereby certify that I am the ECF user whose identification and password are being used to file the foregoing ***Parties' Stipulation to Dismiss With Prejudice Pursuant to Fed. R. Civ. P. 41***, and that the above-referenced signatory to this stipulation has concurred in this filing.

/s/ Benjamin H. Richman

